

E & P.H.

(1947) Department.

MS.

SERIES.

G.O. NO. 2293 Education.

Dated 30th October, 1947.

[Despatch Abstract.]

Write Off - Stipends paid to N. Pattammal Ex-student, Govt.
Secondary Training School for Women, Cuddalore.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

C.F. 32.

EDUCATION

DEPARTMENT.

In reply, please quote number, date and short title.*

Received

Registered

From (Name) Dr.S.R.U. Savor, M.A., D.Sc., I.E.S.,

(Designation) Director of Public Instruction,

Post Box _____, (STATION) Madras.

Telegraphic Address _____



The Secretary to Government,
Education and Public Health Department.

R.O.C. No.10658E-3/4 dated 1-9-47. 19

Sir,

*Sub:- Madras Educational Rules - Suit - for recovery of stipends - N.Pattammal, Ex-student, Government Secondary and Training School for Women, Cuddalore.

Ref:- G.O.No.Ms.1294 Edn., dated 15-7-40.

ENCLOSURES

SPARE COPIES

I have the honour to state that in the G.O. referred to above, Government accorded sanction to institute legal Proceedings for the recovery of a sum of Rs.81-2-6 due to Government under the bond executed by one N.Pattammal and her father Sri Natesa Padayachi in connection with the former's admission into the Government Secondary and Training School for Mistresses, Cuddalore. A suit was filed and a decree for Rs.88-4-6 was also obtained in 1941, but the decree could not be executed for want of bidders at the auction sale of the properties, though execution petitions were filed seven times and closed during the previous years. It is stated that the village officers estimated the property to be worth Rs.35/- while the court fixed the cost at Rs.70/- Even according to the above estimates, the entire amount cannot be realised.

2) The collector of South Arcot, who was also consulted in the matter, states that it is not worth while to purchase lands on behalf of the Government. But if it is considered that the properties should be purchased by Government, the Collector is willing to authorise the Revenue Inspector, Manjakuppam to bid at the auction sale on behalf of the Government (vide copy enclosures of his letter enclosed) It is reported that a sum of Rs.160/- has to be recovered from them now (i.e. decree amount, interest on the decree amount upto the date of execution and the costs of execution petitions filed). If Government are to bid at the auction sale, a fresh execution petition will have to be filed in the court. The expenditure incurred on this petition, will have to be included with the amount to be recovered. A copy of the opinion of the Government Pleader in the matter is also enclosed.

3) In the above circumstances, I request orders of Government as to whether Government may bid at the auction sale for the amount due to Government on this account and take possession of the property. If this is not feasible, the only course open is to write off the amount due as irrecoverable.

P. M.

for Director of Public Instruction.

pkf.2/9

3/9

Copy of OFFICE OF THE INSPECTRESS OF GIRLS' SCHOOLS, VIII CIRCLE,
TANJORE. (7) 3

Copy of letter L.Dis.No.19657/45, dated 11-2-46 of the Collector
of South Arcot addressed to the Superintendent Government
Secondary and Training School, Cuddalore.

Sub:- Suit - Small cause - Dt.Munsif Court, Cuddalore S.C.No.57/41-
Recovery of stipendiary amount - Execution proceedings.

Ref:- Your letter Rc.470-H-39 dated 23-10-45.

The Government Pleader, Cuddalore reports that the properties
proceeded against in execution are worth Rs.35/- according to the valuation
of the village officers and Rs.70/- according to the valuation of the court
while the amount sought to be recovered is Rs.160/-. One of the items of
the properties is subject to an usufructory mortgage for Rs.50/-. It is
stated that a further sum of Rs.25/- will have to be spent towards the cost
of the Execution Petition if proceeded with. In these circumstances
it does not appear to be worthwhile to purchase lands on behalf of the
Government. However, if you consider it desirable to bring the proper-
ties to sale in execution and purchase them on behalf of the Government,
I shall authorise the Revenue Inspector, Manjakappam to bid at the sale
on behalf of the Government.

(sd) G.Thirajalu,
for Collector.

R.C.No.97 B/46, dated 23rd July 1947.

Submitted to the Director of Public Instruction, Madras with referenc
to Proceedings Roc.No.10658 E.3/46, dated 9-7-47.

Copy of the letter dated 17-6-47 from the Government Pleader, Cuddalore
to this office.

Sub:- Su't S.C.No.57/41-Dt.Munsiff's Court Cuddalore- N.Pattammal -
Amount - Recovery of.

P.T.O.

4
REF:-Re.No.97-B/46, dated 15-4-47.

In connection with the said proceedings, I would like to draw your kind attention to my letter dated 20-11-45 to the Superintendent. Explained everything in full in the said letter. Village officers have fixed the value very reasonably.

A | The Thasildar would have fixed the value at Rs.350/- at the time of filing of suit. At that time he may not be aware of the encumbrance that existed over the properties. The village officers have valued the properties at Rs.20/- and Rs.15/- respectively. (Two items) 1 item is 0-53 cents, 2nd item is 0-29 cents. The properties were brought to sale for more than 6 times with no useful purpose. The costs spent so far, has exceeded the amount decreed. Even if the Government were to purchase the property, they have to clear the encumbrance over the property and then only take possession. To get the properties for sale again it may take about Rs.15/- to 20/- more than what we had spent so far.

I am of opinion that, as collector says in his letter dated 11-2-46, it does not seem worth while either to bring it for sale again or purchase it on behalf of Government.

(sd) M. Venkateswami Reddier,
Government Pleader.

for Director of Public Instruction.

SDP
3/9
The R.O. quoted on p1 ante has been called for from M-R.O. chittoor and is awaited. This may be out till the R.O. is recd. or till 12.9.47 which is early.
10/9/47

Cont. Secy. School
for women, Cuddalore.

C. 105232/47

Write off - Stipends paid to N. Pattammal

Ex-student, govt. Secy. and Trg. School for Women, Cuddalore.

From the S.P.D. No. 10658 E-3/46 dated 1-9-47.

G.O. (MS) 2293 E.M. 30-X-47

In the circumstances reported by the S.P.D., the govt. sanctions the writing off, as irrecoverable, of a sum of Rs.1601- (Rupees one thousand and sixty only) due from N. Pattammal, ex-student of the govt. Secy. and Trg. School for women, Cuddalore.

KK

To JLE S.P.D.

A.G. 15/4/47

16
20/8/47

dp
20/8/47

RM
20/8/47

16/8/47

C. 7050301/47. Madras Educational Rules - ~~Satisfactory~~
Recovery of stipends from N. Pattammal
ex-student, Govt Secy. and Trg. School for Women,
Cuddalore.

CF From the A. P. S. No. 10658 E-3/46 dt 1.9.47.

Please see the Director's letter
in the C.F. In the circumstances reported
in paras 1 and 2 on p1 of, the Director
para 3 p1 of requests to be informed as to whether Govt.
may bid at the auction sale of the
properties belonging to Sri Natesa Padayachi
for the amount due to Govt. ^{his daughter} from N.
Pattammal, ex-student of the Govt Secondary
and Trg. School for Women, Cuddalore. The
amount to be recovered is reported to be

Rs 160/- made up of the decree amount of Rs.
160-0-0. Total Rs. 81-2-6 plus interest thereon and costs of
81-2-6 Decree execution etc. At the time of filing the suit
78-13-6 Costs etc in 1940, it was reported that the properties

p 2 of a

p also cp. A on p 4 of

P on p 3 of

In view of the Collector's letter (a copy of which is at p 3 of) this suggestion does not seem to be acceptable. The only course seems to be to write off the amount, viz Rs 160/-
27.9.47

were worth Rs 250/- The price of land property has gone considerably high since then. Even allowing for the mortgage amount of Rs 50/- to which the properties are now reported to be subjected, it would appear that the Govt. will certainly be able to recover the decree amount plus costs once they bid for in the auction sale. In the circumstances it is for the consideration of whether the Director may direct the sale of the properties.

at the P. S. Solicited to be a measure of satisfaction. It has been held that if the amount due to the Govt. is not recovered under section 52 of the Madras Revenue Recovery Act, 1864. Please see the notes connected with it.

p 3 of a

p 4 of a

under the head executed by or guardian or holder of the property. In the Govt. institutions, the amount recovered under section 52 of the Madras Revenue Recovery Act, 1864. Please see the notes connected with it.

[Handwritten notes:]

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ASSISTANT SECRETARY
30 SEP 1947
S/A
LEGAL DEPARTMENT

to
P on P30.F

P on P30.F

UN- P. 3CF

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Ans 60288 AA-1
14-X-47

A draft order is submitted for appl.

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH
11000
81824
20/10/47

SECTION 8150
PROTECTION AND PURGING HEARSAY
2/1/11

